

UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

DPP
CLM.

MEMORANDUM

DATE: December 19, 2011
TO: Honorable Frederic Block
Senior U.S. District Judge
RE: Danielle Wolf
11 CR 457-9
Violation of Release Conditions and Bail Violation Hearing Request

The above-referenced defendant has been the subject of previous memorandums dated October 26, 2011 and December 7, 2011, advising the Court that the defendant had tested positive for benzodiazepines, Oxycodone, Cocaine, and Amphetamines from August 31, 2011 to October 14, 2011 and the latter memorandum advised that a bench warrant was issued for failure to appear in court on November 3, 2011. However, on November 23, 2011, she self surrendered to the U.S. Marshals and on December 2, 2011, she made her initial appearance in this district before U.S. Magistrate Judge Cheryl L. Pollak and a permanent order of detention was issued. On December 8, 2011, the defendant appeared before Your Honor and was released on the same bond as previously imposed with the additional condition of home detention with location monitoring except permitted leave for court appearances, attorney visits, drug treatment, and verifiable employment.

We are now writing to inform Your Honor that the defendant has again violated her release conditions. Specifically, on December 13, 2011, the defendant unplugged the power cord to her location monitoring equipment and left her residence without authorization. According to the location monitoring records, Ms. Wolf left and returned home several times as denoted below:

1:10 p.m. to 1:19 p.m.
10:28 p.m. to 10:37 p.m.
10:57 p.m. to 11:10 p.m.
11:13 p.m. to 11:26 p.m.
11:26 p.m. to 11:34 p.m.

The record also reflected that the defendant unplugged the power cord to the location monitoring device on numerous occasions from 10:49 a.m. to 11:43 p.m. and alerts indicated that the location monitoring device is being moved from the authorized location. When Ms. Wolf was questioned about her whereabouts around 11:00 p.m., she stated that she was outside her house putting up Christmas lights. Furthermore, when asked about the power cord, she indicated that her friend unplugged the power cord because she was sweeping and cleaning the floor. The defendant's explanation is troubling because it was dark outside and late in the night to be hanging Christmas lights on the house, and it appears that the defendant was trying to tamper with the location monitoring system by unplugging the power cord and leaving home. The supervising officer in New Jersey attempted to conduct a home visit on December 15, 2011, however, the defendant never answered the door even though according to the location monitoring device, she was home.

The defendant called her officer around 10:30 p.m. that day and stated that she did not answer the door because she was sleeping from 6:30 a.m. to 8:30 p.m. and the cellular telephone was not charged so she did not hear it ring.

The defendant's above noted actions causes great concern because she was before Your Honor less than a week ago for bail violation hearing when she was directed to comply with her release conditions. During the hearing, Your Honor warned that she would be remanded if she violated her release conditions again. The defendant has demonstrated consistently during the course of her supervision that she is not suitable for release as shown with the above noted location monitoring violation coupled with the following list of her prior noncompliance:

1. extensive illicit substance abuse while on supervision,
2. failure to attend the drug treatment program,
3. purposely denying and hiding the fact that she was rearrested on July 19, 2011 and charged with Shoplifting
4. purposely denying that she pleaded guilty to the charge and paid \$658 in fines on October 12, 2011
5. failure to appear in court as directed

AUSA Tanisha Payne and defense counsel Charles Hockbaum have been advised of the above violations. At this time, Pretrial Services respectfully recommends that a bail revocation hearing be scheduled to address the defendant's noncompliance.

If Your Honor determines that this request is appropriate, attached is a Court Order for Your Honor's signature. Should Your Honor require any additional information, please feel free to contact Officer Anna Lee at 718-613-2501.

Prepared by:

Anna Lee

U.S. Pretrial Services Officer

Approved by:

Ignace Sanon-Jules

Supervising Pretrial Services Officer

**RE: Wolf, Danielle
Docket Number: 11 CR 457-9**

It is the Order of the Court that:

X A bail revocation hearing be scheduled for 1/4, 2012 at 10 a.m./p.m. 2:30

____ No action be taken at this time.

____ Other: _____

So Ordered.

s/FB

Honorable Frederic Block
Senior U.S. District Judge

12/22/11
Date

cc: Defense Counsel Charles Hockbaum
AUSA Tanisha Payne